

# Civil Service Commission

The Executive Office for Administration and Finance  
Commonwealth of Massachusetts



Performance Report  
Calendar Year 2013

Christopher C. Bowman

Chairman

## A MESSAGE FROM THE CHAIRMAN

The Civil Service Commission is a quasi-judicial agency charged with ensuring that public employees, and those seeking to become public employees, receive fair and impartial treatment. Appeals received by the Commission generally regard appointments, promotions, disciplinary matters, examinations, and requests for reclassification.

During calendar year 2013, the Commission received 250 such appeals and closed out 281, reducing the number of pending appeals from 179 at the end of CY12 to 148 at the end of the CY13. The number of appeals pending for more than 12 months also decreased from last year, from 46 to 42. Through CY13, almost half of all appeals filed with the Commission were disposed of within 4 months and 85% of all appeals were disposed of within 12 months.

To put these numbers in context, the Commission had over 800 pending appeals at the end of CY06, including 550 appeals that were pending for more than 12 months; the vast majority of appeals took well over 2 years to dispose of.

As these numbers show, we continue to make progress regarding our commitment to provide our customers with a fair, convenient and timely appeals process. With these goals in mind in CY13, the Commission also:

- Conducted dozens of off-site hearings in Springfield, North Dartmouth and other communities to reduce the cost and inconvenience associated with hearings in downtown Boston;
- Introduced more user-friendly appeal forms that can be filled out online and then printed;
- Cataloged hundreds of related court cases by subject matter making our legal library a valuable resource for our customers;
- Continued to provide our customers, at no cost, with a CD of their digitally-recorded hearings within 2 days of the hearing.

Despite our limited resources, we will continue looking for creative ways to provide our customers with the high-quality of service they have come to expect from the Commission.

Christopher C. Bowman

**As an organization affiliated with the Executive Office of Administration and Finance (A&F), the Civil Service Commission's goals reflect and bolster the commitments of A&F to deliver Better Finance, Better Health Care, Better Performance and Better Government.**

**This report was developed pursuant to Executive Order 540, Governor Patrick's directive to embed strategic planning and performance management across state government. The Civil Service Commission's CY13 Performance Report describes progress achieved against the goals set out in its 2013-2015 Strategic Plan.**

**Please send feedback  
regarding this report to:  
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## ACTIONS UPDATE

### **Goal 1: Process all appeals in an efficient and timely manner in locations convenient to all parties.**

In CY13, the Commission reduced the number of pending appeals from 179 to 148 and disposed of 85% of appeals within 12 months. Although that falls just short of our ambitious target of 95%, we will see a significant reduction in the number of cases pending for more than 12 months in CY14.

We exceeded our other targets related to this goal including:

- Conducting 95% of Western Massachusetts and Southeastern Massachusetts appeals at hearing locations in those regions.
- Holding 95% of pre-hearings within 30 days of the filing of the appeal; and
- Providing all parties with a CD of the digitally-recorded hearing within 2 business days of the hearing.

### **Goal 2: Provide all parties with an accessible, transparent and predictable decision-making process.**

We met or exceeded all of our targets related to this goal including:

- Posting all CY13 decisions online;
- Posting all hearing dockets online for the following week no later than the close of business each Thursday; and
- Doubling the number of individuals on our email distribution list from approximately 200 to 400.

### **Goal 3: Provide parties with a fair, impartial hearing and render decisions with an unprejudiced mind, guided by common sense and the correct rules of law.**

We take this commitment seriously – every day – and we hold ourselves publicly accountable on this front. Not only do we post every Commission decision online, we also post every related Court decision online, indicating whether our decision was affirmed, overturned or

remanded for further review. We also take the additional step of providing, online, a cross-reference of these decisions with the individual Commissioner who rendered the Commission decision. Finally, we have set highly ambitious targets related to the percentage of Commission decisions that “stand” and the percentage of decisions that are appealed to the court and affirmed – and we update our progress on meeting these targets on a monthly basis.

An accurate assessment of these targets requires looking back two prior calendar years, as most of the Court proceedings related to CY13 Commission decisions are still ongoing.

In CY11, 98% of all Commission decisions “stood” as they were not appealed and/or overturned. In CY12, 96% of all Commission decisions stood.







Of those Commission decisions subject to judicial review in CY11, 83% were affirmed. 56% of CY12 Commission decisions subject to judicial appeal were affirmed.

# PERFORMANCE DASHBOARD

STATUS LEGEND					
On Target (>= Target)	●	Close-to-Target (>= 80-99%)	▼	Off Target (<80% of Target)	■
Note: Descriptions for performance measures can be found on page 6					

GOAL	MEASURE	CY13 as of 12/31/13	CY13 as of 12/31/12	TREND	TARGET	STATUS	COMMENTS
Process all appeals in an efficient and timely manner at locations convenient to all parties	# of open appeals pending before Commission	148	179	STABLE	Equivalent of 6 months' worth of inventory  CY12: 153 CY13: 135	▼	
	% of all appeals disposed of within 4 months	49%*	50%**	STABLE	25%	●	
	% of all appeals disposed of within 6 months	65%*	69%**	STABLE	50%	●	
	% of all appeals disposed of within 9 months	78%*	82%**	STABLE	75%	●	
	% of all appeals disposed of within 12 months	85%*	92%**	STABLE	95%	▼	
	% of appeals from Western Massachusetts heard at a location in that region	100%	100%	STABLE	95%	●	
	% of appeals from designated Southeastern MA communities heard at a location in that region	100%	97%	STABLE	95%	●	

\*Appeals filed on or after 7/1/10 and closed on or before 12/31/13; \*\*Appeals file on or after 7/1/10 and closed on or before 12/31/12

GOAL	MEASURE	CY13 as of 12/31/13	CY13 as of 12/31/12	TREND	TARGET	STATUS	COMMENTS
	% of digital recordings of hearings uploaded and burned CD sent to parties within 2 business days	100%	100%	STABLE	95%		
	% pre-hearings held within 30 days of appeal file date (unless 1-time continuance granted)	97%	94%	STABLE	95%		
<b>Provide all parties with an accessible, transparent and predictable decision-making process</b>	% of weekly hearing dockets posted on CSC website no later than the close of business the preceding Thursday	100%	99%	IMPROVING	100%		
	# of recipients on CSC email distribution list	403	205	STABLE	400		CSC also surpassed its CY12 target of 200.
<b>Provide all parties with a fair, impartial hearing and render decisions with an unprejudiced mind, guided by common sense and the correct rules of law</b>	% of survey respondents who are satisfied with the way their appeal was processed	N/A	N/A	N/A	N/A	-	CSC has not yet developed a customer service survey.
	Of those CSC decisions that are appealed to court, % affirmed by court	56% (4/9)	82% (9/11)	WORSENING	80%		Due to the timing of appeals, current period is 2012 calendar year CSC decisions and prior period is 2011. Judicial appeals from 2012 CSC decisions still pending in court.
	% of total CSC decisions issued that have "stood" (not appealed and/or overturned)	96% (111/116)	98% (124/126)	STABLE	95%		Due to the timing of appeals, current period is 2012 calendar year CSC decisions and prior period is 2011. Judicial appeals from 2012 CSC decisions still pending in court.

## MEASURE DESCRIPTIONS

GOAL	MEASURE	DESCRIPTION
<b>Process all appeals in an efficient and timely manner at locations convenient to all parties</b>	# of open appeals pending before the Commission	This measure tracks the number of open appeals pending before the Commission. It should not exceed the equivalent of 6 months' inventory at any point during the fiscal year.
	% of appeals disposed of within specified timeframes	This measure tracks the amount of time it takes CSC to dispose of appeals. Targets are: 25% of new appeals should be disposed of within 4 months, 50% within 6 months, 75% within 9 months, and 95% within 12 months.
	% of all appeals from Western Massachusetts heard at a location in that region	This measure tracks the number of appeals held at remote locations for the convenience of parties. 95% of such appeals should be heard at a location in Western Massachusetts.
	% of all appeals from Southeastern MA heard at a location in that region	This measure tracks the number of appeals held at remote locations for the convenience of parties. 95% of such appeals should be heard at a location in Southeastern Massachusetts.
	% of digital recordings of hearings uploaded and burned CD sent to parties within 2 business days	This measure tracks the percent of digital recordings of hearings uploaded to a shared directory and burned to CDs for mailing to parties within 2 business days.
	% of pre-hearings conducted within 30 days of appeal file date	This measure tracks the percent of pre-hearings conducted within 30 days of appeal being filed, except if there is a mutual request for a one-time continuance.
<b>Provide all parties with an accessible, transparent and predictable decision-making process</b>	% of weekly hearing dockets posted on the CSC website no later than the close of business the preceding Thursday	This measure tracks the percentage of weekly hearing dockets posted on the CSC website no later than the close of business the preceding Thursday.
	# of recipients on the CSC email distribution list	This measure tracks the number of recipients on the CSC email distribution list. CSC regularly sends Commission statistics via email to a distribution list – the goal is to increase the size of the list from 200 to 400 recipients.

GOAL	MEASURE	DESCRIPTION
Provide all parties with a fair, impartial hearing and render decisions with an unprejudiced mind, guided by common sense and the correct rules of law	% of survey respondents who are satisfied with the way their appeal was processed	This measure tracks the percent of CSC survey respondents who are satisfied with the way their appeal was processed. CSC is working to develop a customer feedback mechanism that allows parties to anonymously provide feedback regarding how their appeal was processed.
	Of those decisions that are appealed to court, % overturned on appeal by the court	This measure tracks the percent of appealed CSC decisions that are overturned by a court.
	% of the total CSC decisions issued that have “stood” (not appealed and/or overturned)	This measure tracks the number of all CSC decisions not appealed, or upheld by the court in a given year divided by the total number of decisions issued by the Commission in that same year.